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10 *Attorneys for Defendants*

11 **UNITED STATES DISTRICT COURT FOR THE**  
12 **NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

13  
14 CITY AND COUNTY OF SAN FRANCISCO,

15 Plaintiff,

16 v.

17 JEFFERSON B. SESSIONS III,  
18 Attorney General of the United States,  
UNITED STATES DEPARTMENT OF JUSTICE,  
19 DOES 1-100,

20 Defendants.  
21

Case No. 3:18-cv-2068-JST

**STIPULATION AND**  
**[~~PROPOSED~~] ORDER**

22 WHEREAS, defendants filed and served a notice of motion to dismiss plaintiff's original  
23 complaint on June 18, 2018 (Dkt. 18);

24 WHEREAS, by prior stipulation and order of this Court, plaintiff filed a First Amended  
25 Complaint on July 30, 2018 (Dkt. 30);

26 WHEREAS, the 119-paragraph amended complaint added new factual allegations and  
27 challenges defendants' rescission of eight guidance documents (Dkt. 30);

28 Stipulation and [~~Proposed~~] Order  
CASE No. 3:18-cv-2068-JST

1 WHEREAS, by prior stipulation and order of this Court, defendants' current deadline to file a  
2 response to the First Amended Complaint is September 27, 2018 (Dkt. 27);

3 WHEREAS, defendants intend to file a new notice of motion to dismiss plaintiff's First  
4 Amended Complaint;

5 WHEREAS, the parties require no more than 5 additional pages, thereby exceeding the 25-page  
6 limit set by the local rules, to address the new allegations and guidance documents added to the First  
7 Amended Complaint;

8 WHEREAS, the parties anticipate that they will require additional time to file their respective  
9 briefs in response to the motion to dismiss—specifically, plaintiff's opposition to the motion and  
10 defendants' reply brief in support of the motion;

11 NOW THEREFORE, the parties hereby stipulate that: (i) defendants shall file a notice of motion  
12 to dismiss and an accompanying memorandum of law not to exceed 30 pages and that plaintiff shall file  
13 an opposition not to exceed 30 pages; (ii) plaintiff shall file its opposition to defendants' motion no later  
14 than October 25, 2018; (iii) defendants shall file their reply brief in support of the motion no later than  
15 November 13, 2018; and (iv) the motion hearing shall be set for ~~November 29, 2018~~, subject to the  
16 Court's availability. December 6, 2018

17 Dated: September 20, 2018

18 DENNIS J. HERRERA  
19 City Attorney  
20 JESSE C. SMITH  
21 RONALD P. FLYNN  
22 YVONNE R. MERÉ  
23 MOLLIE M. LEE  
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24 By: /s/ Natalie Orr  
NATALIE ORR  
25 Deputy City Attorney  
26 Attorneys for Plaintiff  
27 CITY AND COUNTY OF  
SAN FRANCISCO

By: /s/ Cesar A. Lopez-Morales  
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28 Stipulation and [Proposed] Order  
CASE No. 3:18-cv-2068-JST

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Attorneys for Defendants JEFFERSON B.  
SESSIONS III and UNITED STATES  
DEPARTMENT OF JUSTICE

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: September 24, 2018

  
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JON S. TIGAR  
United States District Judge

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**ATTESTATION OF SIGNATURES**

I, Cesar A. Lopez-Morales, hereby attest, pursuant to Local Civil Rule 5-1(i)(3) of the Northern District of California, that concurrence in the filing of this document has been obtained from each signatory hereto.

/s/ Cesar A. Lopez-Morales

Cesar A. Lopez-Morales

Trial Attorney

Attorney for Defendants